

ORIGINAL

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

In the Matter of

John M. Schum,
Respondent.

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

MAR 02 2023

at 10 o'clock and 00 min. A.M.
CLERK, U.S. DISTRICT COURT

ORDER TO SHOW CAUSE

MC 23-00074 DKW-WRP

The Court having recently been advised that a disciplinary order was filed in the Supreme Court of California on February 24, 2023, *inter alia*, suspending John M. Schum, Respondent, from the practice of law for one year, placing Respondent on probation for one year, and staying Respondent's suspension for all but the first sixty (60) days of his probationary period; and

It appearing to the Court that John M. Schum was admitted to practice before this Court on July 19, 2006;

IT IS HEREBY ORDERED that John M. Schum show cause within fourteen (14) days of the mailing of this Order why he should not be suspended from practicing in this Court in accordance with Local Rule 83.4(b). Failure to respond to this order may result in the Court ordering the suspension of John M. Schum from practicing before this Court without further notice.

In responding to this Order to Show Cause, counsel should be aware of the relevant legal standards applicable to reciprocal discipline. As stated in *In Re Kramer*, 282 F.3d 721, 724 (9th Cir. 2002), “a federal court’s imposition of reciprocal discipline on a member of its bar based on a state’s disciplinary adjudication is proper unless an independent review of the record reveals: (1) a deprivation of due process; (2) insufficient proof of misconduct; or (3) grave injustice which would result from imposition of such discipline.” Further, it is the burden of the disciplined attorney to demonstrate one of the three deficiencies by clear and convincing evidence, *id.*, and this Court presumes the correctness of a state bar court’s factual findings. *See Gadda v. Ashcroft*, 377 F.3d 934, 943 (9th Cir. 2004). Finally, an attorney may argue that the conduct warrants a substantially different discipline than applied elsewhere.

Alternatively, John M. Schum may submit a letter of resignation in lieu of discipline, in which case no disciplinary action will be taken by this Court.

DATED: March 2, 2023 at Honolulu, Hawaii.



DERRICK K. WATSON
CHIEF UNITED STATES DISTRICT JUDGE